

**English Translation of Pertinent Portions of German Office Action Dated  
November 22, 2001 in Counterpart German Patent Application 101 27 823.3-23**

In this action the following references are cited for the first time. (The numbering will apply for this and all further proceedings):

- (1) DE 38 35 720 C2
- (2) DE 28 44 206 A1

Publications which might prevent the patenting of the subject matter of the application could not be found. According to DE 38 35 720, cited by the applicant, the cover element is indeed produced in a separate step from the production of the cap portion. However, on account of its construction as a foil, it is not joined in the manner according to the application during the production of the closure. The same applies for the closure of DE 28 44 206, in which the cover element and cap portion are manufactured in separate working steps. The sealing layer is formed as a disk and is inserted in the cap portion.

It is essential for the subject matter of the application that the edge region of the cover element and the cap opening are respectively formed in a special manner and are connected with one another in the ready to use condition both interlockingly and without a materially intergrated bond. In the process according to claim 1, the cap portion is produced first and then the cover element, whereby its material fills out the edge region of the cap opening. In the process according to claim 2 the cover element is produced first and then the cap portion, whereby its material surrounds the edge region of the cover element. In both cases the material of the sealing layer is injected last into the cap portion provided with the cover element.

This is not sufficiently clearly expressed in claims 1 and 2 and further it is not unambiguous whether in the closure according to DE 38 35 720, cited by applicant, the cap portion is produced first or the cover is produced first, whereby this question is in any event unimportant on account of the simple manner of the covering.

It is therefore suggested, as seen in the enclosure, to adopt the new unified claim 1 including the original claims 1 and 2. The combination of both variations in a single unified claim leads, according to this interpretation, to an improved understanding of the process according to the application.

\*\*\*

Examining group for subclass B 65 D  
Dipl.-Ing. (Examiner) Starke  
Telephone: 2875

Enclosures: two references in duplicate and revised claims 1-10 from the filed application.